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Message Text

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ORIGIN TRSE-00

INFO OCT-01 NEA-10 ISO-00 EB-08 COME-00 L-03 SIG-03
OMB-01 AID-05 CIAE-00 INR-10 NSAE-00 H-01 /042 R

DRAFTED BY TREASURY/GC:BPALMER
APPROVED BY NEA/PAB:JCOON
NEA/PAB:HLUCIUS
EB/BP:AADAMS
NEA/RA:DTMORRISON
USDOC/CAGNE:JHEARN(SUBS)
L/NEA:DSMALL(INFO)
----------031921 301015Z /21
R 292356Z MAR 78
FM SECSTATE WASHDC
TO AMEMBASSY ISLAMABAD
INFO AMCONSUL KARACHI
AMCONSUL LAHORE
AMEMBASSY DACCA
AMEMBASSY NEW DELHI
AMCONSUL BOMBAY
AMCONSUL CALCUTTA
AMCONSUL MADRAS

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E.O. 11652: N/A

TAGS: ETRD

SUBJECT: FOREIGN BOYCOTTS: PAKISTANI SHIPPING CLAUSE

1. SHIPPING CLAUSESREQUIRING PRECAUTIONARY CERTIFICATIONS:

A. PAKISTANI CLAUSES PROHIBITING (A) SHIPMENTS TO OR FROM PAKISTAN ON FLAG VESSELS OF ISRAEL, SOUTH AFRICA OR TAIWAN
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OR (B) SHIPMENTS TO OR FROM PAKISTAN VIA PORTS OF THESE COUNTRIES, ARE PERMISSIBLE UNDER BOTH THE FINAL TREASURY DEPT. GUIDELINES UNDER TAX REFORM ACT AND THE COMMERCE DEPT. REGULATIONS UNDER EXPORT ADMINISTRATION ACT.

B. SINCE PAKISTAN DOES NOT HAVE DIPLOMATIC RELATIONS WITH THESE THREE COUNTRIES, IT IS ASSUMED BY TREASURY THAT THERE

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IS A NEED TO PROTECT SHIPMENTS IN TRANSIT AGAINST WAR RISK
OR RISK OF CONFISCATION. AN AGREEMENT TO THESE CLAUSES
DOES NOT CONSTITUTE BOYCOTT PARTICIPATION OR COOPERATION
UNDER THE TAX REFORM ACT.

2. SHIPPING CLAUSES REQUIRING BOYCOTT CERTIFICATIONS:

A. RECENT COMMERCE EXPORT ADMINISTRATION REPORT TO CONGRESS
(OCTOBER 1976-MARCH 1977) SHOWS 23 BOYCOTT REPORTS OF
PAKISTAN ORIGIN REQUESTING CERTIFICATION THAT SHIPS DESTINED
FOR PAKISTANI PORTS ARE NOT "BLACKLISTED".

B. U.S. COMPANIES MAY JEOPARDIZE SIGNIFICANT TAX BENEFITS
IF THEY CERTIFY IN CONTRACT DOCUMENTS THAT GOODS WILL NOT
BE SHIPPED ON A SHIP BLACKLISTED BY THE GOVERNMENT OF
PAKISTAN. SUCH CERTIFICATIONS WOULD CONSTITUTE PARTICI-
PATION IN OR COOPERATION WITH AN INTERNATIONAL BOYCOTT
UNDER TAX REFORM ACT OF 1976 AND ALSO COULD BE A
PROHIBITED ACT UNDER THE EXPORT ADMINISTRATION AMENDMENTS
OF 1977.

C. USING SUCH OFFICIAL OR COMMERCIAL SOURCES AS YOU DEEM
APPROPRIATE, PLEASE ADVISE SOONEST WHETHER REQUESTS FOR
BLACKLIST CERTIFICATES FOR SHIPS HAVE BEEN RESULT OF
OFFICIAL GOVERNMENT OF PAKISTAN POLICY AND, IF SO,
WHETHER PAKISTAN WILL CONTINUE TO REQUIRE THE USE OF SUCH
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CLAUSES IN LETTERS OF CREDIT OR OTHER STAGES OF BUSINESS
TRANSACTIONS. IF SUCH CERTIFICATES ARE NOT REQUIRED BY
THE GOVERNMENT, WE WOULD APPRECIATE KNOWING WHO PROVIDES
THE IMPETUS FOR REQUIRING THEM AND WHETHER STEPS CAN BE
TAKEN TO AVOID THEIR USE IN THE FUTURE.

D. INFORMATION REQUESTED IN PARAGRAPH 3 ABOVE IS REQUIRED
BY THE TREASURY DEPARTMENT TO ENABLE IT TO DETERMINE
WHETHER PAKISTAN SHOULD BE PLACED ON LIST OF COUNTRIES
REQUIRING PARTICIPATION IN OR COOPERATION WITH AN
INTERNATIONAL BOYCOTT. THE TAX REFORM ACT OF 1976
REQUIRES TREASURY TO PUBLISH AND MAINTAIN SUCH LIST. COOPER

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Message Attributes

Automatic Decaptioning: X
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Current Classification: UNCLASSIFIED
Concepts: BOYCOTTS, SHIPS PAPERS
Control Number: n/a
Copy: SINGLE
Draft Date: 29 mar 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: BPALMER
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780137-1280
Format: TEL
From: STATE
Handling Restrictions: n/a
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ISecure: 1
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Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
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Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
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Review Withdrawn Fields: n/a
SAS ID: 3127964
Secure: OPEN
Status: NATIVE
Subject: FOREIGN BOYCOTTS: PAKISTANI SHIPPING CLAUSE
TAGS: ETRD, IS
To: ISLAMABAD
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/539a24b9-c288-dd11-92da-001cc4696bcc
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